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ONYX PHARMACEUTICALS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

15 || ONYX PHARMACEUTICALS, INC.,

Case No. C 09-2145 (MHP)

16 Plaintiff,

**STIPULATION AND ~~PROPOSED~~ ORDER  
RESCHEDULING STATUS CONFERENCE**

18 BAYER CORPORATION, BAYER AG,  
19 BAYER HEALTHCARE LLC, AND  
BAYER SCHERING PHARMA AG,

### Defendants.

1           **WHEREAS**, a further Status Conference in this matter is currently scheduled for May 17,  
2 2010, and a Status Conference Statement is currently due May 10, 2010;

3           **WHEREAS**, the parties will participate in a private mediation on May 13, 2010;

4           **WHEREAS**, the outcome of the mediation process will be unknown on May 10 and may  
5 remain uncertain immediately following the session on May 13;

6           **WHEREAS** , the parties believe it would therefore be advisable to extend the period  
7 between the mediation and the Status Conference to more than four days;

8           **WHEREAS**, document production in this matter has taken more time than previously  
9 contemplated and the parties believe they will be in a better position to address case management  
10 in June;

11          **THEREFORE**, the parties hereby stipulate and agree, by and through counsel, to the entry  
12 of an order as follows:

13          1.       The post-mediation Status Conference, currently scheduled for May 17, 2010, is  
14                   **July 19**,  
15 hereby rescheduled to ~~June 14~~, 2010 at 3:00 p.m., or at the Court's first convenient time  
thereafter.

16          2.       A Status Conference Statement will be due one week prior to the Status  
17 Conference.

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1 Dated: April 28, 2010

COOLEY GODWARD KRONISH LLP

3 /s/ Martin S. Schenker

4 Martin S. Schenker  
Attorneys for Plaintiff  
5 ONYX PHARMACEUTICALS, INC.

6 Dated: April 28, 2010

7 BARTLIT BECK HERMAN PALENCHAR &  
8 SCOTT LLP

9 /s/ Jason Peltz

10 Jason Peltz  
11 Attorneys for Defendants  
12 BAYER CORPORATION, BAYER AG,  
13 BAYER HEALTHCARE LLC, AND BAYER  
14 SCHERING PHARMA AG

15 PURSUANT TO STIPULATION, IT IS SO ORDERED

16 Dated: April 29, 2010



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## **GENERAL ORDER 45 ATTESTATION**

In accordance with General Order 45, concurrence in the filing of this document has been obtained from each of the signatories and I shall maintain records to support this concurrence for subsequent production for the court if so ordered or for inspection upon request by a party.

Dated: April 28, 2010

COOLEY GODWARD KRONISH LLP

/s/ Martin S. Schenker

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Martin S. Schenker

Attorneys for Plaintiff

ONYX PHARMACEUTICALS, INC.

849540 v1/HN

**STIPULATION AND [PROPOSED] ORDER  
RESCHEDULING STATUS CONFERENCE  
CASE No.: CV 09 2145 (MHP)**